

STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION

FROM Andrew O'Sullivan
Wetlands Program Manager

DATE March 24, 2020
AT (OFFICE) Bureau of Environment

SUBJECT Wetland Bureau Permit #2019-03488
Littleton, 42535

TO Steve Johnson, Bureau of Bridge Maintenance

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 3/24/2020.

Please note specific conditions (#2, 3, 4, and 18) of the permit.

Condition 2: This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.

Condition 3: The permittee or permittee's contractor shall properly construct, and monitor the downstream boulder weir(s), and shall take such remedial actions as may be necessary to create functioning grade control to accommodate aquatic organism passage with a minimum of 2 inches of water maintained during base flow conditions. ... (see permit)

Condition 4: The final configuration of the downstream boulder weir shall be coordinated with NHF&G and final plans submitted and approved by NHDES.

Condition 18: Within sixty (60) days of completing the project, and annually for a period of three years, the applicant shall submit a post-construction monitoring report, documenting the project area conditions. The report shall include photo documentation.... (see permit)

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-3226.

AMO:sel

Encl.

Tim Boodey, Bureau of Bridge Maintenance (via electronic notification)

Heidi Stortz, Environmental Coordinator (via electronic notification)

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The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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WETLANDS AND NON-SITE SPECIFIC PERMIT 2019-03488

NOTE CONDITIONS

PERMITTEE: NH DEPT OF TRANSPORTATION
C/O ANDREW O'SULLIVAN
PO BOX 483
CONCORD NH 03302-

PROJECT LOCATION: I-93 OVER MULLIKIN BROOK, LITTLETON
TAX MAP #N/A, LOT #N/A

WATERBODY: MULLIKIN BROOK

APPROVAL DATE: MARCH 24, 2020

EXPIRATION DATE: MARCH 24, 2025

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Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Dredge and fill a total of 7,688 square feet (SF)/633 linear feet (LF) of the bed and banks of Mullikin Brook (Tier 3), including 4,633 SF/ 341 LF of temporary impacts, to perform concrete invert lining rehabilitation within the existing 132-inch corrugated metal squash pipe located under I-93, and construct a downstream fish weir.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plan sheets for Littleton Bridge #133/094, State Project 41224, I-93 Over Mullikin Brook prepared by the Department of Transportation, Bureau of Bridge Maintenance as received by the Department on October 31, 2019.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
3. The permittee or permittee's contractor shall properly construct, and monitor the downstream boulder weir(s), and shall take such remedial actions as may be necessary to create functioning grade control to accommodate aquatic organism passage with a minimum of 2 inches of water maintained during base flow conditions. Remedial measures may include changing the configuration and/or changing the elevation of the crest of the boulder weir to accommodate local hydrologic and geomorphic regimes.
4. The final configuration of the downstream boulder weir shall be coordinated with NHF&G and final plans submitted and approved by NHDES.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
12. All temporary impacts shall be restored to pre-construction conditions and planted with native species similar to those within the wetland prior to impact.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
18. Within sixty (60) days of completing the project, and annually for a period of three years, the applicant shall submit a post-construction monitoring report, documenting the project area conditions. The report shall include photo documentation, channel and water depth measurements, and a brief narrative. The submitted monitoring report shall identify any problem(s) limiting the success of aquatic organism passage through the stream channel including at the upstream culvert inlet, downstream grade control weir and, measures which need to be taken to address the problem(s), and a time schedule on which the permittee will implement the corrective measures. NHDES Wetlands Bureau may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.

GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:

1. Pursuant to RSA 482-A:12, a copy of the permit shall be posted in a secure manner in a prominent place at the site of the approved project.
2. In accordance with Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, work shall not infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
3. In accordance with Env-Wt 314.01, a standard permit shall be signed by the permittee and the principal contractor who will build or install the project prior to start of construction; and will not be valid until signed.
4. In accordance with Env-Wt 314.03(a), the permittee shall notify the department in writing at least one week prior to commencing any work under the permit.
5. In accordance with Env-Wt 314.08(a), the permittee shall file a completed notice of completion of work and certificate of compliance with the department within 10 working days of completing the work authorized by the permit.
6. In accordance with Env-Wt 314.06, transfer of this permit to a new owner shall require notification to and approval by NHDES.

7. In accordance with Env-Wt 307.02, in order to be in compliance with federal requirements, all work in areas under the jurisdiction of the U.S. Army Corps of Engineers (US ACE) shall comply with all conditions of the applicable state general permit (see attached notice).
8. In accordance with Env-Wt 307.06(a) through (c), no activity shall jeopardize the continued existence of a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat under the Federal Endangered Species Act, 16 U.S.C. §1531 et seq.; State Endangered Species Conservation Act, RSA 212-A; or New Hampshire Native Plant Protection Act, RSA 217-A. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel.

APPROVED:



Lori L. Sommer
Land Resources Management, Water Division

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BY SIGNING BELOW, I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)